

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

LAKESHIA AARON,

Plaintiff,

Civil Action

File No.: 2:23-CV-374-CWB

v.

TERESA L. FERRELL a/k/a
TERESA L. BRIGGS,

Defendant.

PLAINTIFF'S MOTION FOR ATTORNEYS' FEES AND COSTS
PURSUANT TO RULE 54(d) AND BRIEF IN SUPPORT

COMES NOW Plaintiff Lakeshia Aaron, by and through undersigned counsel, and respectfully files this Motion and Brief for Attorneys Fees and Costs pursuant to Rule 54(d) of the Federal Rules of Civil Procedure and 15 U.S.C. § 6851(b)(3)(A)(i), for an award of reasonable attorneys' fees and costs incurred in this action. In support of this Motion, Plaintiff relies upon the Affidavit of Joseph W. Weeks, the Affidavit of Saam Ghiaasiaan and all other matters of record.

I. INTRODUCTION

Plaintiff prevailed on her claim under the federal statute prohibiting nonconsensual disclosure of intimate images, 15 U.S.C. § 6851. That statute expressly authorizes the Court to award reasonable attorneys' fees and costs to a prevailing plaintiff. See 15 U.S.C. § 6851(b)(3)(A)(i). Having succeeded on the

merits, Plaintiff respectfully requests that the Court enter an award of fees and costs in her favor.

II. PROCEDURAL POSTURE

Plaintiff filed this case on June 9, 2023. [Doc 1]. On March 14, 2025, the parties jointly executed and filed a stipulation expressly agreeing to submit the case to a bench trial before a U.S. Magistrate Judge pursuant to 28 U.S.C. § 636(c), and waiving all rights to a jury trial. [Doc 59]. The stipulation confirms that both parties, through counsel, "stipulate and agree to a bench trial of this case in front of a United States magistrate judge" and "waive any and all right to a jury trial." Id.

A non-jury (bench) trial was held on April 29, 2025, before U.S. Magistrate Judge Chad W. Bryan. [Doc 67]. Upon the conclusion of the trial, Judge Bryan took the matter under advisement. [Doc 67]. On July 21, 2025, this Court entered Final Judgment in favor of Plaintiff and against Defendant [Doc. 70], awarding Plaintiff \$150,000 in liquidated damages, a permanent injunction, and "the cost of the action, including reasonable attorney's fees and other litigation costs reasonably incurred." Id.

III. STATEMENT OF FACTS

Plaintiff retained undersigned counsel pursuant to a written fee agreement dated February 8, 2023. [See Exhibit 1 to Affidavit of Joseph W. Weeks]. The

written fee agreement between Plaintiff and her counsel provides for a contingency fee of 40% of the gross recovery in this matter. Id.

Since the enactment of 15 U.S.C. § 6851 on October 1, 2022, Mr. Weeks has handled several cases under the statute, including five cases in the Northern District of Georgia and one case in the Southern District of Georgia. [Affidavit of Joseph W. Weeks, paragraph 3]. In addition to this matter, Weeks has also been admitted *pro hac vice* in several federal jurisdictions to litigate claims under 15 U.S.C. § 6851, including the Northern District of California (Case No. 3:25-cv-00099-MMC), the District of Utah (Case No. 2:23-cv-00028- DAK-DBP), and the Middle District of North Carolina (Case No. 1:23-cv-00042- UA- JEP). [Affidavit of Joseph W. Weeks, paragraph 4].

Plaintiff's counsel expended significant time and resources litigating this matter, including investigating claims, preparing the Complaint and amended pleadings, conducting discovery, briefing dispositive motions, preparing for trial, and attending trial. [See docket].

Weeks does not typically handle this type of case on an hourly basis. [Affidavit of Joseph W. Weeks, paragraph 7]. The contract assigns a rate of \$500.00 per hour to the value of the services performed in this action. [Affidavit of Joseph W. Weeks, paragraph 7]. Weeks believes that \$500 per hour is reasonable and falls within prevailing market rates in the relevant legal community

for attorneys with similar qualifications, experience, and skill. [Affidavit of Joseph W. Weeks, paragraph 8]. At least one other federal District Court has found \$500 per hour to be a reasonable rate for this type of case.¹

Weeks has spent a total of 49.1 hours on this case to date. At the \$500.00 hourly rate, this equates to \$24,550.00 in attorneys' fees. A copy of his itemized time sheet is attached as Exhibit 3 to his Affidavit. Mr. Weeks has also advanced litigation costs on behalf of Plaintiff totaling \$1,697.50. A breakdown of those costs is attached as Exhibit 4 to his Affidavit.

Saam Ghiaasiaan has spent a total of 35.7 hours on this case to date. [Affidavit of Saam Ghiaasiaan, paragraph 5]. At the \$500.00 hourly rate, this equates to \$17,850.00 in attorneys' fees. [Affidavit of Saam Ghiaasiaan, paragraph 5]. A copy of his itemized time sheet is attached to his Affidavit. [Affidavit of Saam Ghiaasiaan].

Plaintiff is seeking \$42,400.00 in attorneys fees and \$1,697.50 in costs pursuant to Rule 54(d) of the Federal Rules of Civil Procedure and 15 U.S.C. § 6851(b)(3)(A)(I) for a total of \$44,097.50.

IV. ARGUMENT AND CITATION OF AUTHORITY

Rule 54(d)(2)(A) allows a claim for attorneys' fees to be made by motion

¹ In *Webbs v. Green*, No. 2:24-cv-07763 (D.N.J. May 13, 2025), a Federal District Court in New Jersey found that a \$500/hour rate was reasonable for plaintiff's counsel in a § 6851 case, stating it was consistent with rates in "similar circumstances." A copy of that Order and Judgment is attached to Weeks' Affidavit as Exhibit 2.

“unless the substantive law requires those fees to be proved at trial as an element of damages.” The statute under which Plaintiff prevailed, 15 U.S.C. § 6851, expressly provides that “a court shall award the cost of the action, including reasonable attorney’s fees and other litigation costs reasonably incurred, to a prevailing plaintiff.” Plaintiff is the prevailing party in this action. Pursuant to the statutory mandate of 15 U.S.C. § 6851(b)(3)(A)(i), she is entitled to recover the costs of the action, including reasonable attorneys’ fees.

The requested \$42,400.00 in attorneys fees and \$1,697.50 in costs is both reasonable and contractually supported. Plaintiff’s counsel devoted time and resources to investigating the claim, preparing pleadings, reviewing evidence, drafting and responding to motions, and prosecuting the claim to judgment.

Pursuant to Federal Rule of Civil Procedure 54(d)(2)(B), this Motion is timely filed within 14 days after entry of Final Judgment.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order awarding Plaintiff:

- a. Reasonable attorneys’ fees in the amount of \$42,400.00;
- b. Reasonable litigation costs in the amount of \$1,697.50; and
- c. Such other and further relief as the Court deems just and proper.

Respectfully submitted this 4th day of August, 2025.

/s/ Joseph W. Weeks

Joseph W. Weeks
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/S/ Saam Ghiaasiaan

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CERTIFICATE OF SERVICE

The undersigned counsel of record hereby certifies he has served a true and correct copy of the within and foregoing **PLAINTIFF'S MOTION FOR ATTORNEYS' FEES AND COSTS PURSUANT TO RULE 54(d) AND BRIEF IN SUPPORT** upon all counsel of record in this action by filing said pleading with the Court's CM/ECF system that will automatically send email notification along with a copy of the filed pleading to all registered users, and/or via USPS First Class Mail with prepaid postage properly affixed and addressed as follows:

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This 4th day of August, 2025.

/s/ Joseph W. Weeks
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